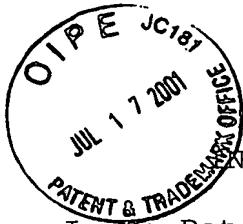


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NIP-208

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

A. MAKI et al

Serial No. 09/674,008

Group Art Unit: 2877

Filed: October 24, 2000

Examiner: Unknown

For: OPTICAL MEASUREMENT INSTRUMENT AND
OPTICAL MEASUREMENT METHOD

INFORMATION DISCLOSURE STATEMENT (IDS)
UNDER § 1.97 AND § 1.98

Commissioner for Patents
Washington, D.C. 20231

July 17, 2001

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Sir:

1. This IDS should be considered:

(a) when filed within three months of the filing date of the present application, or within three months of the filing date of the National Stage as set forth in § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever occurs last;

(b) when filed before the mailing date of either a Final Rejection under § 1.113 or a Notice of Allowance under § 1.311, whichever occurs first and when 1(a) does not apply. For this purpose, there is included herein either a certification in section 4 below (included when indicated by a marked box), or a fee of \$180.00 (a check in the amount of \$180.00 is enclosed, or if not see section 5 below);

(c) when filed prior to the payment of the Issue Fee, when 1(a) - (b) do not apply, and when a certification is included in section 4 below (included when indicated by a marked box); then the Applicant(s) hereby petition(s) and request(s) consideration of this IDS, and provided herewith is a fee of \$180.00 (a check in the amount of \$180.00 to cover the petition fee, or if not see section 5 below).

2. When 1(a)-(c) do not apply, then it is requested that this IDS be placed in the file.

3. Listing of the information submitted is on the attached Form PTO-1449, which forms a part of this IDS. A copy of each listed document is enclosed when needed (needed for U.S. and foreign patents, publication or portion thereof listed; no copy of a U.S. patent application is needed; a copy of a document is not needed when previously submitted or previously cited by the PTO in a parent application of the present application as set forth under 35 U.S.C. § 120).

4. The undersigned hereby states:

(a) that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application, as indicated on the copy of the communication submitted herewith, which communication was dated not more than three months prior to the filing of this IDS; or

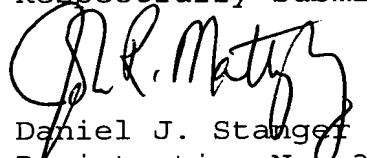
(b) that no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of this IDS.

5. If a fee or additional fee is required, the Commissioner is hereby authorized to charge any fee or additional fee that may be required and credit any excess to Deposit Account No. 50-1417.

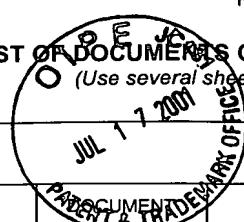
6. No explanation of relevancy is being provided for the attached documents because each is either in the English language, discussed in the present Specification, or its relevance is as stated in a communication from a foreign patent office in a counterpart foreign application, copy enclosed.

7. If the PTO determines that part(s) of the required content is inadvertently omitted, then it is requested that the Applicant(s) be given additional time and specific identification of such omission(s) to enable full compliance.

Respectfully submitted,

 30,293
Daniel J. Stanger
Registration No. 32,846
Attorney for Applicant(s)

MATTINGLY, STANGER & MALUR
1800 Diagonal Rd., Suite 370
Alexandria, Virginia 22314
(703) 684-1120
Date: July 17, 2001

FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
NIP-208SERIAL NO.
09/674,008LIST OF DOCUMENTS CITED BY APPLICANT
(Use several sheets if necessary)APPLICANT
A. MAKI et alFILING DATE
Oct. 24, 2000GROUP
2877

U.S. PATENT DOCUMENTS

* EXAMINER INITIAL	DOCUMENT & TRADEMARK OFFICE	DATE	NAME	CLASS	SUBCLASS	FILING DATE (If Appropriate)
AA						
AB						
AC						
AD						
AE						
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AH						
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AJ						
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FOREIGN PATENT DOCUMENTS

	DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	NO
AL	98/10698	03/19/98	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
AM	0614645	09/14/94	European Patent Application			<input type="checkbox"/>	<input type="checkbox"/>
AN	96/20638	07/11/96	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
AO						<input type="checkbox"/>	<input type="checkbox"/>
AP						<input type="checkbox"/>	<input type="checkbox"/>

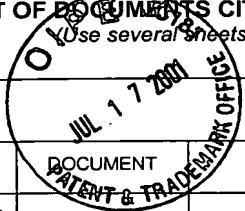
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

AR		Maki et al, "Spatial and temporal analysis of human motor activity using noninvasive NIR topography," Med. Phys. 22 (12), pp 1997-2005, Dec. 1995.
AS		Patent Abstracts of Japan, Vol. 1997, No. 08, Aug. 29, 1997 for JP 09 098972
AT		Patent Abstracts of Japan, Vol. 1997, No. 10, Oct. 31, 1997 for JP 09 149903.

EXAMINER	DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 (REV. 7-80)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. NIP-208	SERIAL NO. 09/674,008
LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)		APPLICANT A. MAKI et al	
		FILING DATE Oct. 24, 2000	GROUP 2877



U.S. PATENT DOCUMENTS

* EXAMINER INITIAL	DOCUMENT	DATE	NAME	CLASS	SUBCLASS	FILING DATE (If Appropriate)
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FOREIGN PATENT DOCUMENTS

	DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO
	AL					<input type="checkbox"/>	<input type="checkbox"/>
	AM					<input type="checkbox"/>	<input type="checkbox"/>
	AN					<input type="checkbox"/>	<input type="checkbox"/>
	AO					<input type="checkbox"/>	<input type="checkbox"/>
	AP					<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

AR	Patent Abstracts of Japan, Vol. 1995, No. 06, July 31, 1995 for JP 07 079935.	
AS	Patent Abstracts of Japan, Vol. 018, No. 101, Feb. 18, 1994 for JP 05 300887.	
AT		

EXAMINER DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.